APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,941	12/11/2003	William Kress Bodin	AUS920030837US1	8707

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EXAMINER
RIDER, JUSTIN W

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
05/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 December 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/2003; 05/2005 (2 Sheets)</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: Application filed 11 December 2003.

Claims 1-24 are pending.

Information Disclosure Statement

2.   The information disclosure statement(s) (IDS) submitted on 12/2003 and 05/2005 is/are

in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner has considered

the information disclosure statement(s).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by **Bryan et al. (US**

2002/0146015 A1) referred to as **Bryan** hereinafter.

        Claim 1: **Bryan** discloses a method for creating voice response grammars, comprising:

        i. identifying a user for a presentation (e.g. visual computer presentation of internet, p. 3,

paragraph [0036], *'Once the user is registered, the user may just log in.'*), the user having a user

grammar (p. 3, paragraph [0034], *'create a unique grammar set for that listener...'*), the user

grammar including one or more user grammar elements (p. 3, paragraph [0034], *'the set of*

vocabulary words or audio macros that speech recognition hardware and software...'), each

user grammar element including a key phrase for invoking a presentation action (p. 3, paragraph

[0034]), and a presentation action identifier representing a presentation action (p. 3, paragraph

[0034]); and

ii. storing a multiplicity of user grammar elements for the user in a voice response

grammar on a voice response server (p. 3, paragraph [0034], *'Dynamic grammar loading...'* (see

also p. 5, paragraph [0067]).).

Claim 2: **Bryan** discloses a method as per claim 1 above, wherein identifying a user for a

presentation comprises creating a data structure representing a presentation and listing in the data

structure at least one user identification (p. 3, paragraph [0021]).

Claim 3: **Bryan** discloses a method as per claim 1 above, wherein the user grammar

comprises a multiplicity of user grammar elements for a content type (p. 5, paragraph [0062], *'if*

the user is a cardiologist, the template may contain lists of medical journals from which

information may be extracted.'), the method further comprising:

i. identifying presentation documents for the presentation, each presentation document

having a content type (p. 5, paragraph [0062], *' or in addition to user-tailored templates...'*); and

ii. selecting user grammar elements according to the content type of the identified

presentation documents (p. 5, paragraph [0062], *'that allow users to define audio macros and*

data sources for these categories of information' [emphasis supplied]);

iii. wherein storing a multiplicity of user grammar elements for the user in a voice

response grammar on a voice response server includes storing the selected user grammar

elements in the voice response grammar (p. 3, paragraph [0034], *'Dynamic grammar loading...'*

It is inherent that if user grammar elements are being loaded upon user identification, that those

grammar elements are being stored within a server or suitable storage element (see also p. 4, paragraph [0061]).).

Claim 4: **Bryan** discloses a method as per claim 1 above, wherein the user grammar comprises a multiplicity of user grammar elements, the method further comprising:

i. identifying presentation documents (files) for the presentation, the presentation documents including structured documents having structural element identifiers (p. 5, paragraph [0063], *'that searches Internet web pages using HTML tags and retrieves files...'* [emphasis supplied]); and

ii. selecting user grammar elements in dependence upon the structural element identifiers (p. 5, paragraph [0063], *' and retrieves files by sending HTTP GET requests...'*);

iii. wherein storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server includes storing the selected user grammar elements in the voice response grammar (p. 5, paragraphs [0063]-[0064], *'data gathering engine 110 continuously stores data extracted from data source 112 in a cache/database...'*).

Claim 5: **Bryan** discloses a method as per claim 1 above, wherein the user grammar comprises a multiplicity of user grammar elements, the method further comprising:

i. identifying presentation documents for the presentation, each presentation document having a presentation grammar including presentation action identifiers (p. 5-6, paragraphs [0069]-[0071], a user grammar is associated with a voice portal that contains action identifiers (see p. 6, tables 1 & 2)); and

ii. selecting user grammar elements in dependence upon the presentation action identifiers (p. 6, paragraphs [0071]-[0072]; tables 1 & 2);

iii. wherein storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server includes storing the selected user grammar elements in the voice response grammar (p. 3, paragraph [0034], *'Dynamic grammar loading...'* It is inherent that if user grammar elements are being loaded upon user identification, that those grammar elements are being stored within a server or suitable storage element (see also p. 4, paragraph [0061]); p. 6, paragraphs [0071]-[0072]).

Claim 6: **Bryan** discloses a method as per claim 1 above, further comprising creating a presentation document, including:

i. creating, in dependence upon an original document, a structured document comprising one or more structural elements (p. 5, paragraph [0064], *'may convert a scanned document from .pdf or .gif image into a text file or a wave audio file.'*);

ii. classifying a structural element of the structured document according to a presentation attribute (p. 5, paragraphs[0064]-[0065], wherein a file can be converted into text or speech, based on attributes dealing with output formatting for presentation); and

iii. creating a presentation grammar for the structured document, wherein the presentation grammar for the structured document includes grammar elements each of which includes an identifier for at least one structural element of the structured document (p. 5, paragraph [0064, *'into a format, such as text format, suitable for searching data source 112.'*).

Claim 7: **Bryan** discloses a method as per claim 6 above, wherein classifying a structural element comprises:

i. identifying a presentation attribute for the structural element; identifying a classification identifier in dependence upon the presentation attribute; and inserting the

classification identifier in association with the structural element in the structured document (p.

5, paragraphs [0064]-[0066], wherein the media format converter **116** converts user inputs

(documents) into a format (speech-to-text, DTMF digits) allowing the system to identify key

information based on documents (e.g. content, context, commands, etc.) which then allow the

system to perform accordingly.).

Claim 8: **Bryan** discloses a method as per claim 6 above, wherein creating a presentation

grammar for the structured document comprises:

i. identifying the content type of the original document (e.g. business, sports); selecting,

in dependence upon the content type, a full presentation grammar from among a multiplicity of

full presentation grammars (paragraph [0075]); and filtering the full presentation grammar into a

presentation grammar for the structured document in dependence upon the structural elements of

the structured document (p. 6, paragraphs [0070]-[0078] teaches wherein a document containing

data is retrieved based on user commands (TABLE 1), upon which an output presentation is

created (e.g. text file, audio output) and subsequently presented to a user based on desired

content.).

Claims 9-16: Claims 9-16 are similar in scope and content to that of claims 1-8 above and

so therefore are rejected under the same rationale.

Claims 17-24: Claims 17-24 are similar in scope and content to that of claims 1-8 above

and so therefore are rejected under the same rationale.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. **Freeman (USPN 5,649,223), Custy et al. (USPN 5,774,879), Sherwood et al.**

(USPN 6,163,768), and Monaco et al. (USPN 6,314,402) disclose providing user customized

grammars; **Raman (USPN 5,748,186)** discloses a system for interactively presenting

information; **Ladd et al. (USPN 6,269,336)** discloses an interactive, user-customized voice

browsing system.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Justin W. Rider whose telephone number is (571) 270-1068. The

examiner can normally be reached on Monday - Friday 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David R. Hudspeth can be reached on (571) 272-7843. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.
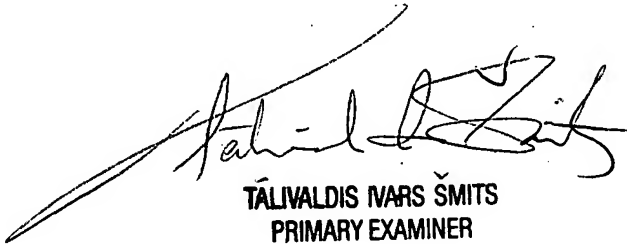
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1000.

J.W.R.
01 May 2007

TALIVALDIS IVARS ŠMITS
PRIMARY EXAMINER